IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

Inez Becker,	)	
	)	**ORDER SCHEDULING**
Plaintiff,	)	**SETTLEMENT CONFERENCE**
	)	
vs.	)	
	)	
Aetna U.S. Healthcare	)	
	)	Case No. A1-05-096
Defendant.	)	

IT IS ORDERED:

An early settlement conference will be held before the magistrate judge on Tuesday, May 23, 2006, at 10:00 AM CST in Courtroom Two at the U.S. Courthouse located at 220 East Rosser Avenue, Bismarck, North Dakota.

The conference shall be attended by all parties, together with trial counsel (if they are represented) for each party. An insured party need not attend unless the settlement decision will be made in part by the insured. When the settlement decision will be made in whole or in part by an insurer, the insurer shall send a representative in person with full and complete authority to make settlement decisions. A corporate party shall send a representative with full and complete authority to bind the company. A governmental entity shall send a representative authorized to act on its behalf. Failure to produce the appropriate person(s) at the conference may result in an award of costs and attorney fees incurred by the other parties in connection with the conference and/or other sanctions against the noncomplying party and/or counsel.

Each party shall submit a confidential settlement statement to magistrate judge no later than two days prior to the early settlement conference. The settlement statement shall not

become a part of the file of the case, but shall be for the exclusive use of the magistrate judge in preparing for and conducting the settlement conference.

The settlement statement shall contain a specific recitation of the facts, a discussion of the strengths and weaknesses of the case, the parties' positions on settlement, including a present settlement proposal, and a report on settlement efforts to date. If not already part of the court file, copies of any critical agreements, business records, photographs or other documents or exhibits shall be attached to the settlement statement. The settlement statement should not be lengthy, but should contain enough information to be useful to the Court in analyzing the factual and legal issues in the case. The parties are directed to be candid in their statements.

The settlement statement shall not be filed with the clerk, but shall be either faxed (701-530-2325) or mailed (P.O. Box 670, Bismarck, North Dakota 58502-0670) to the magistrate judge. Copies of the settlement statement shall not be provided to the other parties in the case.

Counsel are directed to confer with their clients in advance of the conference to explore the parties' positions on settlement, and the parties are encouraged to exchange settlement proposals prior to the conference. These steps will enable the conference to progress more expeditiously.

Dated this 23rd day of November, 2005.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge